

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

KELLY RENE JOHNSON,

Plaintiff,

Case No. 2:23-cv-11131

HONORABLE STEPHEN J. MURPHY, III

v.

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

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**ORDER ADOPTING REPORT AND RECOMMENDATION [16],  
DENYING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT [12],  
AND GRANTING DEFENDANT'S SUMMARY JUDGMENT MOTION [14]**

The Commissioner of the Social Security Administration (SSA) denied Plaintiff Kelly Johnson's application for Supplemental Security Income and Disability Insurance Benefits in a decision issued by an Administrative Law Judge (ALJ). ECF 1; *see* ECF 16, PgID 1237–38. After the SSA Appeals Council declined to review the ruling, Plaintiff sued in federal court. *Id.* The Court referred the matter to Magistrate Judge Anthony P. Patti, and the parties filed cross-motions for summary judgment. ECF 12; 14. The magistrate judge issued a Report and Recommendation (Report) and recommended that the Court deny Plaintiff's motion and grant Defendant's motion. ECF 16. Civil Rule 72(b) governs review of a magistrate judge's report and recommendation. De novo review of the magistrate judge's findings is required only if the parties "serve and file specific written objections to the proposed findings and recommendations." Fed. R. Civ. P. 72(b)(2). Because neither party filed objections, de

novo review of the Report's conclusions is not required. After reviewing the record, the Court finds that the magistrate judge's conclusions are factually based and legally sound. Accordingly, the Court will adopt the Report's findings, deny Plaintiff's motion for summary judgment, and grant Defendant's motion for summary judgment.

**WHEREFORE**, it is hereby **ORDERED** that the report and recommendation [16] is **ADOPTED**.

**IT IS FURTHER ORDERED** that the motion for summary judgment [12] is **DENIED**.

**IT IS FURTHER ORDERED** that the motion for summary judgment [14] is **GRANTED**.

**IT IS FURTHER ORDERED** that the case is **DISMISSED WITH PREJUDICE**.

This is a final order that closes the case.

**SO ORDERED.**

s/ Stephen J. Murphy, III  
STEPHEN J. MURPHY, III  
United States District Judge

Dated: May 24, 2024

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on May 24, 2024, by electronic and/or ordinary mail.

s/ R. Loury  
Case Manager